

REMARKS

I. Prosecution History

Claims 75-84, 86, and 87 are pending in the application. The application as originally filed contained 74 claims. Claims 75-87 were presented to the Examiner in a preliminary amendment dated August 26, 1999. Applicants submitted a Supplemental Amendment on November 18, 1999. The Applicants received a communication mailed January 28, 2000 which indicated that all claims were allowable. However, due to a potential interference, *ex parte* prosecution was suspended. *Ex parte* prosecution was suspended until Claims 76, 78, 80, 82-83 & 87 were later rejected under 35 U.S.C. § 102(e) in view of a newly cited reference. Applicants response to the Official Action (Paper No. 17) brought claims 75-84, and 87 into condition of allowance, leaving only an objection to claim 86 under 37 C.F.R. § 1.75 as being a substantial duplicate of claim 84.

In the Office Action a shortened statutory period for response was set, ending August 20, 2002. Enclosed herewith is a petition for an extension of time under 37 C.F.R. § 1.136. The petition authorizes the office to charge the necessary fee for a three-month extension of time to Deposit Account No. 01-0519 in the name of Amgen Inc. Therefore, the extended deadline for response is effectively November 20, 2003. Accordingly, Applicants submit that this amendment is timely filed.

II. Explanation of the Amendment to the Claims

In paragraph 7 of the Office Action, the Examiner objected to claim 86 under 37 C.F.R. § 1.75 alleging that the claim was a substantial duplicate of claim 84. In response, the Applicants have requested the cancellation of claim 86. Applicants respectfully request that the amendment be entered to place the case in condition for allowance.

III. Explanation of the Amendments to the Specification

In paragraph 1 of the Office Action, the Examiner objected to various sequences in the Specification which were contained in the Sequence Listing and/or not referenced appropriately

in the text of the description. Therefore, Applicants have requested amendments to the Specification, including the Sequence Listing and replacement of Figure 5 with the enclosed replacement sheets Figure 5(A)-(K), to obviate the basis for the objections cited in paragraph 1 of the Office action.

In paragraph 2 of the Office Action, the Examiner objected to the Specification for lacking a specific reference to prior applications from which the Applicants seek the benefit of earlier filing dates under 35 U.S.C. § 120 or § 119(e)(1). Therefore, Applicants have requested an amendment to the Specification to add a paragraph that references prior applications from which the Applicants seek the benefit of an earlier filing date under 35 U.S.C. § 120 or § 119(e)(1).

In view of the amendments and remarks made herein, the Applicants assert that all claims are in condition for allowance and kindly request notification of the same. In case the Examiner is not inclined to allow the case, the Applicants include herein a Notice of Appeal and the required fee for filing of the Notice of Appeal.

Applicants' representative would appreciate the opportunity to talk with the Examiner, in person or by telephone, to discuss any remaining questions and facilitate the prosecution and allowance of the application.

The Commissioner is hereby authorized to charge any fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 01-0519.

Respectfully submitted,



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